

**BOARD OF COUNTY COMMISSIONERS
AGENDA ITEM SUMMARY**

* PUBLIC HEARING 3:00 P.M. *

Meeting Date: 5/16/2006 - KL

Division: County Attorney

Bulk Item: Yes ☐ No ☒

Department: County Attorney

Staff Contact Person: Suzanne A. Hutton

AGENDA ITEM WORDING:

A Public Hearing to consider approval of an Ordinance creating Section 13.5-5(q) of the Monroe County Code, limiting skating and skateboarding to certain areas and establishing rules or conduct and operational procedure for certain parks, specifically skating, rollerblading, skateboarding.

ITEM BACKGROUND:

The County has completed construction of a skate park at Key Largo Community Park. An ordinance allowing regulation above what is already provided for normal park use is required. It will also be necessary to amend the contract with the park operator. County staff has met with the Upper Keys YMCA to work out the details, and the remaining items will be on the same agenda as the public hearing.

PREVIOUS RELEVANT BOCC ACTION:

BOCC approval on 3/15/06 to schedule and advertise Public Hearing.

CONTRACT/AGREEMENT CHANGES:

N/A

STAFF RECOMMENDATIONS:

Approval.

TOTAL COST: _____

BUDGETED: Yes ☐ No ☐

COST TO COUNTY: _____

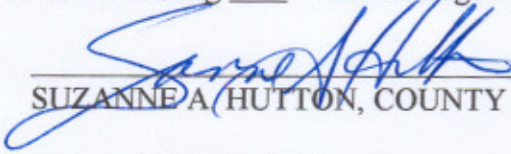
SOURCE OF FUNDS: _____

REVENUE PRODUCING: Yes ☐ No ☐

AMOUNT PER MONTH _____ **Year** _____

APPROVED BY: County Atty SA OMB/Purchasing _____ Risk Management _____

DIVISION DIRECTOR APPROVAL:


SUZANNE A. HUTTON, COUNTY ATTORNEY

DOCUMENTATION: Included ☒ Not Required ☐

DISPOSITION: _____

AGENDA ITEM # _____

NOTICE OF RESCHEDULING PUBLIC HEARING
INTENTION TO CONSIDER ADOPTION OF COUNTY ORDINANCE
(Originally noticed for May 17, 2006)

NOTICE IS HEREBY GIVEN TO WHOM IT MAY CONCERN that on May 16, 2006, at 3:00 P.M., or as soon thereafter as it may be heard, at the Key Largo Library, Tradewinds Shopping Center, 101485 Overseas Highway, Mile Marker 101, Key Largo, Monroe County, Florida, the Board of County Commissioners of Monroe County, Florida, intends to consider the adoption of the following County ordinance:

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, CREATING SECTION 13.5-5(q) OF THE MONROE COUNTY CODE; PROHIBITING SKATING IN KEY LARGO COMMUNITY PARK EXCEPT WHERE POSTED; PROVIDING FOR RULES AND REGULATIONS FOR THE USE OF A SKATE BOARD PARK; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

Interested parties may appear at the meeting and be heard on this matter.

Pursuant to Section 286.0105, Florida Statutes, notice is given that if a person decided to appeal any decision made by the Board with respect to any matter considered at such hearings or meetings, he will need a record of the proceedings, and that, for such purpose, he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Copies of the above-referenced ordinance are available for review at the various public libraries in Monroe County, Florida.

Dated at Key West, Florida, this 19th day of April, 2006.

DANNY L. KOLHAGE, Clerk of the Circuit Court
and ex officio Clerk of the Board of County
Commissioners of Monroe County, Florida

(SEAL)

Publication Dates:

Reporter	4/21/06 – 4/28/06
Keynoter	4/22/06 - 4/29/06
KW Citizen	4/23/06 - 4/30/06

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA, CREATING SECTION 13.5-5(q) OF THE MONROE COUNTY CODE; PROHIBITING SKATING IN KEY LARGO COMMUNITY PARK EXCEPT WHERE POSTED; PROVIDING FOR RULES AND REGULATIONS FOR THE USE OF A SKATE BOARD PARK; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; PROVIDING FOR INCORPORATION INTO THE MONROE COUNTY CODE OF ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Section 13.5-5, Monroe County Code, sets forth rules governing various activities at County Parks; and

WHEREAS, a skate park has been constructed at the Key Largo Community Park; and

WHEREAS, the skate park was placed in the Key Largo Community park to provide a specific outlet for skaters; and

WHEREAS, it is desirable to limit skating and skateboarding in areas of Key Largo Community Park where such activities tend to infringe upon other uses by people enjoying the park; and

WHEREAS, this ordinance will promote the health, safety, and welfare of the public using Key Largo Community Park;

NOW THEREFORE; BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MONROE COUNTY, FLORIDA:

Section 1. That section 13.5-5(q) is hereby created to read:

Sec. 13.5-5 Rules of conduct and operational procedure for certain parks

(q) No person shall skate, rollerblade, skateboard or perform any similar activity in any area of Key Largo Community Park except where designated by posted signs. Rules regulating the use of the skate park at Key Largo Community Park shall be established by Resolution of the Board of County Commissioners or the County's contracted park operator, shall be provided to users, and shall be posted at the skate park.

Section 2. If any section, subsection, sentence, clause, item, change, or provision of this ordinance is held invalid, the remainder of this ordinance shall not be affected by such invalidity.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of said conflict.

Section 4. The provisions of this ordinance shall be included and incorporated in the Code of Ordinances of the county of Monroe, Florida, as an addition or amendment thereto, and shall be appropriately renumbered to conform to the uniform numbering system of the Code.

Section 5. This ordinance shall become effective upon receipt of official notice from the Office of the Secretary of State of the State of Florida that this ordinance has been filed with said office.

PASSED AND ADOPTED by the Board of County Commissioners of Monroe County, Florida at a regular meeting held on the ____ day of _____, A.D., 2006.

Mayor Charles "Sonny" McCoy
Mayor Pro Tem Murray Nelson
Commissioner George Neugent
Commissioner David Rice
Commissioner Dixie Spehar

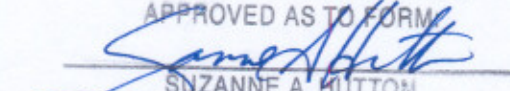
ATTEST:
DANNY KOHLAGE, CLERK

BOARD OF COUNTY COMMISSIONERS
OF MONROE COUNTY, FLORIDA

By: _____
Deputy Clerk

BY: _____
Mayor Charles "Sonny" McCoy

MONROE COUNTY ATTORNEY
APPROVED AS TO FORM


SUZANNE A. HUTTON
ASSISTANT COUNTY ATTORNEY
Date: 2/28/06